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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,093	06/29/2001	Kulvir Singh Bhogal	AUS920010272US1	6701
45440	7590	08/22/2005		EXAMINER
IBM CORPORATION (SS)				GARCIA, GABRIEL I
C/O STREETS & STEELE				
13831 NORTHWEST FREEWAY, SUITE 355			ART UNIT	PAPER NUMBER
HOUSTON, TX 77040				2624

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/895,093	BHO GAL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gabriel I. Garcia	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 May 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 and 8-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 September 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**Part III DETAILED ACTION**

1. This application has been examined. Claims 1-6 and 8-13 are pending in this application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry et al. (6,606,165).

With regard to claim 1, Barry et al. teaches a method for selecting a printer for printing a print job (e.g. abstract), the method comprising: identifying one or more attributes of the print job (e.g. abstract, the attributes read on the parameters or characteristics); associating an attribute bit setting for each of one or more identified attributes (e.g. abstract and col. 31, lines 22-65); matching the one or more attribute bit settings of the print job with attributes listed in an attribute printer assignment table(e.g. abstract , col. 3, 16 and claim 1).; identifying the printer from the attribute printer assignment table designated to handle print jobs by having the matching one or more attribute bit setting (e.g. abstract and col. 31, lines 22-65).; and directing the print job to the identified printer (e.g. abstract,see figs. 1-6 and col. 31, lines 22-65).

With regard to claim 2, Barry et al. further teaches generating the plurality of print jobs using one or more application programs running in a computer that is in communication with one or more printers (e.g. col. 31, lines 25-52).

With regard to claim 3, Barry et al. further teaches the one or more attributes are selected from file type, application identify, color content, print resolution, page size and combinations therefore (e.g. col. 31, lines 22-65).

With regard to claim 4, Barry et al. teaches comprising entering the list of available printers and the attributes associated with each of the available printers through a graphical user interface (e.g. col. 21, lines 4-60 and col. 31, lines 22-65).

With regard to claim 5, Barry et al. further teaches identifying bit setting for each of the one or more identified attributes is set by an application program or a printer handler (e.g. col. 31, lines 22-65).

With regard to claim 6, Barry et al. further teaches storing the attribute printer assignment table in memory for access by the printer handler (e.g. abstract and col. 31, lines 10-65).

With regard to claims 8-13, the limitations of the computer program claims 8-13 are covered by the limitation of the steps covered by the method claims 1-6.

### ***Conclusion***

3. Applicant's arguments with respect to claims 1-6 and 8-13 have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

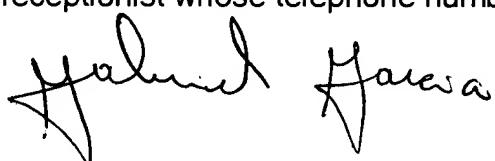
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Gabriel I. Garcia** whose telephone number is (571) 272-7434. The examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

**Gabriel I. Garcia**  
**Primary Examiner**  
**August 19, 2005**



GABRIEL I. GARCIA  
PRIMARY EXAMINER